



**Utah HCBS Draft Transition Plan - Public Comment Summary  
Summary of Public Comments from February 2, 2015 Version Two**

A brief summary of public comments and the State's response to the comments follow:

***Comment:***

One commenter described that the plan should include the level of detail provided in the State's Initial HCBS Compliance Report that included details about the process by which the Department of Health queried providers, the standards used to assess providers, and an explanation of the Department's analysis.

***Response:***

The State views the transition planning process as an iterative process in which additional detail regarding remediation activities and compliance tools will be shared with the public as the transition planning process moves forward. The State's Initial HCBS Compliance Report is a good example of the process the State will incorporate as additional details are developed. The plan was updated to include action items that require the State to share assessment and remediation tools with stakeholders as they are developed. The plan was also updated to require that the State provide quarterly updates to stakeholders as well as to CMS.

***Comment:***

One commenter expressed concerns that the plan did not include a review of the State's standards, rules and regulations.

***Response:***

The State agrees that the plan should include a review of its standards, rules, regulations and provider contracts. An action item describing this requirement was added to the transition plan.

***Comment:***

One commenter described that the State should more actively engage HCBS consumers in the Transition Process. The commenter recommended including specific interventions such as completing consumer experience surveys to determine consumers level of understanding of the transition planning process.

***Response:***

While the State understands that the completion of surveys and other educational opportunities represent enhancements to the process, it does not believe these interventions are required elements to be included in a transition plan. The State believes that the plan as currently drafted meets plan requirements. The State will continue to discuss these items with the Transition Planning Workgroup to find opportunities for additional education and consumer involvement. For example, in the first Transition Plan Workgroup meeting, we discussed inclusion of family members and additional consumers from various programs. Current attendees have agreed to submit names of additional consumers to participate in the Workgroup.

***Comment:***

Two commenters suggested that the State should develop assessment and remediation strategies that are specific to residential and non-residential settings.

***Response:***

The State intends to develop assessment and remediation strategies that are specific to residential and non-residential settings. Utah's plan refers to "waiver sites of service". This is inclusive of both residential and non-residential services. The plan was updated to include action items that require the State to share assessment and remediation tools with stakeholders as they are developed.

***Comment:***

One commenter suggested that because support coordination and case management agencies play a significant role in the service delivery system and in the person-centered planning process, the State should not presume these providers are compliant with the new settings rule.

***Response:***

While the State agrees that support coordination and case management agencies play a significant role in the service delivery system, and that provider education about rule requirements will be needed throughout the planning process, the State disagrees that these providers are non-compliant entities with regard to the setting requirements. The State will continue to engage the Workgroup to discuss education and training opportunities for support coordinators and case managers.